

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-13 are pending in the present application. Claims 1-3 are amended. Claims 4-13 are newly added. Support for the amendment to Claim 1 can be found in the specification as published at least at paragraphs [0024] and [0026]. Support for the amendment to Claim 2 is self-evident. Support for the amendment to Claim 3 can be found in the specification as published at least at paragraph [0001]. Support for newly added Claims 4 and 9 can be found in the specification as published at least at paragraph [0022]. Support for newly added Claim 5 can be found in the specification as published at least at paragraph [0026]. Support for newly added Claim 6 can be found in the specification as published at least at paragraph [0030]. Support for newly added Claims 7 and 13 can be found in the specification as published at least at paragraph [0029]. Support for newly added Claim 8 can be found in the specification as published at least at paragraph [0002]. Support for newly added Claim 10 can be found in the specification as published at least at paragraph [0017]. Support for newly added Claim 11 can be found in the specification as published at least at paragraph [0028]. Support for newly added Claim 12 can be found in the specification as published at least at paragraph [0027]. Thus, no new matter is added.

The outstanding Office Action rejection Claim 3 under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. The outstanding Office Action rejected Claims 1-3 under 35 U.S.C. § 112, second paragraph, as indefinite. The outstanding Office Action rejected Claims 1 and 3 under 35 U.S.C. § 103(a) as unpatentable over Roder et al. (U.S. Patent No. 3,169,757, herein “Roder”) in view of Newman (U.S. Patent No. 4,712,778) or Zimmermann et al. (U.S. Patent No. 6,375,171, herein “Zimmermann”). The outstanding Office Action rejected Claim 2 under 35 U.S.C. § 103(a)

as unpatentable over Roder in view of Newman or Zimmermann and further in view of Bouton et al. (U.S. Patent No. 4,162,064, herein "Bouton").

In response to the rejection of Claim 3 under 35 U.S.C. § 112, first paragraph, Claim 3 is amended to correct the noted informalities.

In response to the rejection of Claims 1-3 under 35 U.S.C. § 112, second paragraph, Claims 1-3 are amended to correct the noted informalities.

In addition, Applicants respectfully traverse the rejection of Claims 1 and 3 under 35 U.S.C. § 103(a) as unpatentable over Roder in view of Newman or Zimmermann.

Amended independent Claim 1, recites, in part:

a first side of the first clamping disc contacts the noise protection element, and

a second side of the first clamping disc opposite the first side of the first clamping disc contacts the second spring mount, such that

the first clamping disc is sandwiched between the noise protection element and the second spring mount

Thus, the spring-supported suspension means for noise protection elements includes a first clamping disc. A first side of the first clamping disc contacts the noise protection element, and a second side of the first clamping disc opposite the first side of the first clamping disc contacts the second spring mount. The first clamping disc is sandwiched between the noise protection element and the second spring mount.

Turning now to the cited art, Roder describes a spring holding and gripping structure. The outstanding Office Action asserts that the core (22) is a spring mount, the rubber body (23) is a noise protection element and that a pressure plate (lower element at 21) and platelike member (lower element at 24) are clamping discs.¹

¹ See outstanding Office Action at pages 3-4.

Applicants respectfully submit that Roder does not describe all the features recited in amended independent Claim 1. The first side of the first clamping disc (lower element at 21) in Roder contacts the spring mount (22), rather than the noise protection element (23). The second side of the first clamping disc opposite the first side of the first clamping disc contacts a head of a bolt or nut, rather than the second spring mount. The first clamping disc in Roder is sandwiched between the head of a bolt or nut and the spring support. In contrast, the first clamping disc recited in amended independent Claim 1 is sandwiched between the noise protection element and the second spring mount.

Furthermore, Applicants respectfully submit that the rubber body (23) described on Roder is not a noise protection element, as recited in amended independent Claim 1. Instead, the rubber body is for holding spring turns (9).² Roder does not disclose, or even suggest, that the rubber body is a noise protection element. A person of skill in the art would recognize that the rubber body described in Roder is not a noise protection element, as recited in amended independent Claim 1.

Thus, Applicants respectfully submit that amended independent Claim 1 patentably distinguishes over Roder for at least the above-noted reasons.

Newman and Zimmerman fail to remedy the deficiency discussed above in Roder in amended independent Claim 1. Neither Newman nor Zimmermann describes a clamping disc that is sandwiched between a noise protection element and a spring mount.

Accordingly, Applicants respectfully submit that no reasonable combination of Roder, Newman, and Zimmermann would include all the features recited in amended independent Claim 1. Therefore, Applicants respectfully request the rejection under 35 U.S.C. § 103(a) of Claims 1 and 3 be withdrawn.

² See Roder at column 3, lines 54-55.

In addition, Applicants respectfully traverse the rejection of Claim 2 under 35 U.S.C. § 103(a) as unpatentable over Roder in view of Newman or Zimmermann and further in view of Bouton.

As discussed above, Roder, Newman, and Zimmermann fail to describe all the features recited in amended independent Claim 1.

Bouton fails to remedy the deficiency discussed above regarding Roder, Newman, and Zimmermann in relation to amended independent Claim 1. Instead, Bouton is silent regarding a clamping disc that is sandwiched between a noise protection element and a spring mount.

Accordingly, Applicants respectfully submit that no reasonable combination of Roder, Newman, Zimmermann, and Bouton would include all the features recited in amended independent Claim 1, or Claim 2 which depends therefrom. Therefore, Applicants respectfully request the rejection under 35 U.S.C. § 103(a) of Claim 2 be withdrawn.

Newly added dependent Claims 4-13 each depend, directly or indirectly, from amended independent Claim 1, and patentably distinguish over the cited references for at least the same reasons as amended independent Claim 1 does.

Applicants wish to make separate arguments regarding Claim 9, which recites that the noise protection element includes acrylic glass. None of the cited references describes a noise protection element that includes acrylic glass. Roder describes a rubber body (23) while Newman, Zimmermann, and Bouton are silent regarding a noise protection element, much less a noise protection element that includes acrylic glass. Thus, Claim 9 further patentably distinguishes over any proper combination of the cited references.

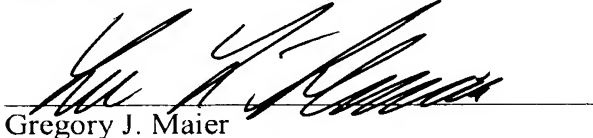
Applicants also wish to make separate arguments regarding Claim 10, which recites that a resonant frequency of a system, comprising the noise protection element, suspension device, and supporting structure, is greater than 0.5 Hz. Roder, Newman, Zimmermann, and

Bouton are silent regarding a resonant frequency, much less a resonant frequency of a system, comprising the noise protection element, suspension device, and supporting structure, that is greater than 0.5 Hz. Thus, Claim 10 further patentably distinguishes over any proper combination of the cited references.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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